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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

**CIRILO UCHARIMA ALVARADO, On Behalf
of Himself and All Others Similarly Situated;**

Plaintiff,

V.

WESTERN RANGE ASSOCIATION;

Defendant.

Case No. 3:22-cv-00249-MMD-CLB

**STIPULATION TO EXTEND
TIME TO FILE RESPONSE TO
DEFENDANT'S MOTION TO DISMISS
PLAINTIFF'S COMPLAINT OR IN THE
ALTERNATIVE MOTION TO
TRANSFER VENUE (ECF NO. 23)**

(First Request)

Plaintiff CIRILO UCHARIMA ALVARADO ("Plaintiff"), by and through his counsel of record, JAMIE CROOKS of FAIRMARK PARTNERS, LLP, and Defendant WESTERN RANGE ASSOCIATION ("Defendant"), by and through its counsel of record, ELLEN JEAN WINOGRAD of

1 WOODBURN AND WEDGE, respectfully submit this stipulation and [PROPOSED] Order to extend
2 the time in which Plaintiff's Response to Defendant's Motion to Dismiss Plaintiff's Complaint or in
3 the Alternative Motion to Transfer Venue ("Motion to Dismiss") is due by forty-five (45) days, as well
4 as to extend the time in which Defendant's Reply thereto is due to thirty (30) days.

5
6 Defendant Western Range Association filed its Motion to Dismiss on August 16, 2022. (ECF
7 No. 23). The current deadline for Plaintiff's Counsel to file a response thereto is August 30, 2022.
8 This stipulation seeks to change the pending deadline from August 30, 2022 to **October 14, 2022**. It
9 also seeks to set the deadline for Defendant to file its reply as **November 14, 2022**.

10 Defendant's Motion to Dismiss raises numerous complex issues in addition to challenging the
11 merits of Plaintiff's claims, e.g., *Noerr-Pennington* immunity, *Parker* immunity, res judicata, venue
12 transfer, and failure to join indispensable parties. Moreover, lead counsel for Plaintiff on this matter,
13 Jamie Crooks of Fairmark Partners, has a brief due in another complex antitrust matter on September
14 27, 2022. (*Uriel Pharmacy Health & Welfare Plan v. Advocate Aurora Health, Inc.*, Case No. 2:22-
15 cv-00610 (E.D. Wis.)). To avoid conflicting briefing deadlines and to give Plaintiff's Counsel
16 adequate time to brief each of the important issues raised, the parties stipulate to a forty-five (45) day
17 extension of the deadline to respond. The requested extension furthers the interests of this litigation
18 and is not being requested in bad faith or to delay these proceedings unnecessarily. Accordingly, good
19 cause exists for the requested extension.
20
21

22 The parties have agreed that, in the event Plaintiff chooses to file an amended complaint
23 pursuant to Federal Rule of Civil Procedure 15, Plaintiff will do so on or before October 10, 2022.
24 The parties agree that thereafter Defendant Western Range Association would then have up to and
25 including November 22, 2022 in which to file a responsive pleading to Plaintiff's First Amended
26 Complaint.

27
28 Nothing contained in this stipulation constitutes any waiver by Defendant Western Range

1 Association of any jurisdictional, procedural, or substantive defenses it may have.

2 This is the first request for an extension and is made in good faith and not for the purposes of
3 delay.

4 Dated: August 26, 2022

6
7 **FAIRMARK PARTNERS, LLP**

8 /s/ Jamie Crooks
9 JAMIE CROOKS (Admitted *Pro Hac Vice*)
10 1825 7th St NW, #821
11 Washington, DC 20001

12 Counsel for Plaintiff and the Putative Class

WOODBURN AND WEDGE

/s/ Ellen Winograd
ELLEN WINOGRAD
6100 Neil Road, Ste. 500
Reno, NV 89511

Counsel for Defendant

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14
15
16 **ORDER**

17
18 **IT IS SO ORDERED**

19 Dated: August 28, 2022



UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I, Jamie Crooks, declare:

I am employed by the law offices of Fairmark Partners, LLP. My business address is 1825 7th St NW #821 Washington, DC 20001. I am over the age of 18 years and not a party to this action.

On the below date, I served the foregoing document by causing it to be served via electronic service through the Court's CM ECF electronic filing system, addressed as follows:

ELLEN WINOGRAD
6100 Neil Road, Ste. 500
Reno, NV 89511

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct, and that this declaration was executed on August 26, 2022.

/s/ Jamie Crooks

Managing Partner of Fairmark Partners, LLP